

TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
SEPTEMBER 5, 2006
MINUTES

Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Bryant called the meeting to order and lead the Pledge of Allegiance at 7:09 p.m.

Members Present: Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster, Councilwoman May, and Councilman Rioux.

Members Absent: None

Departments Present: Interim Town Manager Jeanine Guy, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Deputy Clerk Annette Olson, Assistant to the Town Manager Sarah Blank, Finance Manager Iris Wallace, Development Director Bob Bushfield, Public Information Officer Bob Bushner, Police Chief Dan Saban, Assistant to Police Chief Parrish Spisz, Town Engineer Woody Scoutten, Public Works Director Scott Lowe, Fire Chief Scott Rounds, Assistant Fire Chief Bob Costello, Human Resources Director Toni Brown, Library Director Cheryl Sedig, and Information Technology Director Dee Hathaway.

2. Comments from the Public

Chuck Turner-Spoke to Council regarding the EMS Services for the Town on behalf of United West Valley Fire Fighters Local 4371.

Randall Mansanares-Told Council of his concern with the Police Department and State Judicial matters.

Scott McCoy, of Earl, Curley, and Lagarde-Addressed Item's 5C and 5D.

2A. Customer Service Award

Mayor Bryant presented the first monthly Customer Service Award to Bryan Garland from the Public Works Department.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda are considered to be routine matters and will be enacted by one motion unless a Councilmember requests. Councilman Rioux requested Item's *5C and *5D be pulled for Council discussion and to allow Mr. McCoy to speak regarding the items. Councilwoman May declared a conflict of interest on Item *4 on Lazy May. A motion was made by Vice Mayor Beard and seconded by Councilman Hardesty to approve Item's *3, *4, *5A, *5B, *5E, *5F, *5G, *5H, *5I, and *5J with Councilwoman May abstaining on Item *4. Motion passed unanimously.

*3. Council approved the minutes of the August 1, 2006 Workshop and Regular Council meeting as presented.

*4. Council approved the invoices due by the Town for payment. Councilwoman May abstained from voting due to a conflict of interest with Lazy May. Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Garza, and Councilman Rioux voted aye. Motion carried. Copies of

invoices are available at Town Hall.

5. NEW BUSINESS

***5A. Ordinance 70-06-Annexation-BUCKEYE CROSSINGS A06-13**

Council adopted Ordinance 70-06 increasing the corporate limits of the Town of Buckeye by annexing approximately 5.14 acres contiguous to the existing Town limits of the Town of Buckeye, Arizona, generally located north of MC-85 approximately ½ mile east of Apache Road requested by Kristen Thoma on behalf of Roger Buttrum/RDB Construction.

***5B. Ordinance 71-06-Annexation-TARTESSO TAIT A06-14**

Council adopted Ordinance 71-06 increasing the corporate limits of the Town of Buckeye by the annexing approximately 158 acres contiguous to the existing Town limits of the Town of Buckeye, Arizona, generally located southwest of Thomas Road and the 303rd Avenue alignment requested by Stephen Earl on behalf of Stardust Development Inc.

***5C. Ordinance 72-06-Rezoning-SVP ASSEMBLAGE RZ06-05**

Councilman Rioux pulled this Item for discussion. Scott McCoy of Earl Curley and LeGard was available to answer Council's questions. A motion was made by Vice Mayor Beard and seconded by Councilwoman May to adopt Ordinance 72-06 amending the Zoning Map of the Town of Buckeye on approximately 27.6 acres located along the west side of Sun Valley Parkway, between McDowell Road and Roosevelt Street, from Rural Residential (RR) to General Commerce (GC) Zoning District requested by Michael Fa, of M. Design Fusion. Councilman Rioux voted nay. Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster, and Councilwoman May voted aye. Motion carried.

***5D. Ordinance 73-06-Rezoning- SVP ASSEMBLAGE RZ06-06**

Councilman Rioux pulled this Item for discussion. Scott McCoy of Earl Curley and LeGard was available to answer Council's questions. A motion was made by Vice Mayor Beard and seconded by Councilwoman May to adopt Ordinance 73-06 amending the Zoning Map of the Town of Buckeye on approximately 28.9 acres located along the west side of Sun Valley Parkway, between McDowell Road and Roosevelt Street from Rural Residential (RR) to General Commerce (GC) requested by Michael Fa, M. Design Fusion. Councilman Rioux voted nay. Councilman Hardesty, Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilman Doster, and Councilwoman May voted aye. Motion carried.

***5E. Ordinance 74-06-Rezoning-CORNELL RZ05-36**

Council adopted Ordinance 74-06 amending the Zoning Map of the Town of Buckeye totaling approximately nineteen (19) acres on four (4) parcels located north of Yuma Road, south of Interstate 1, east of the 309th Avenue alignment and west of Johnson Road from Rural Residential (RR) to the Commercial Center (CC) Zoning District requested by Paul Spears, 21st Century Realty, L.L.C. on behalf of Douglas and Audrey Cornell.

***5F. LaFrance Pumper Fire Truck with emergency equipment for the Tartesso Development**

Council approved the purchase of one (1) LaFrance Pumper Fire Truck with emergency equipment for the Tartesso Development off of the Phoenix Bid 4590008318 (8/17/06) to be funded by Tartesso Development.

***5G. LaFrance Pumper Fire Truck with emergency equipment for the Trillium Development**

Council approved the purchase of one (1) LaFrance Pumper Fire Truck with emergency equipment for the Trillium Development off of the Phoenix Bid #4590008318 (8/17/06) to be funded by Trillium Development.

***5H. Confidentiality Policy**

Council rescinded the current Section 650 Confidentiality in the Town of Buckeye Personnel Rules and Policy Manual and replace it with the proposed Confidentiality Policy.

***5I. Resolution 41-06- Gila River Grant for Hazardous Materials Response Team**

Council adopted Resolution 41-06 authorizing submission of a grant to the Gila River Indian Community for the Gila River Grant for Hazardous Materials Response Team in the amount of

\$279,985.34.

***5J. Shade Structures for Kell Park**

Council approved the request by Community Services Department for the purchase based on Mohave Contract # 01B-Shade-0119 of two (2) shade structures to be placed at Town Park and Kell Park in the total amount of approximately \$48,902.00.

Council Action: Motion to approve items on consent agenda *3, *4, *5A, *5B, *5C, *5D, *5E, *5F, *5G, *5H, *5I, and *5J.

NON CONSENT AGENDA ITEMS

5K. PUBLIC HEARING

A Public Hearing was opened at 7:30 to hear citizen input on the proposed Series 10 Liquor License requested by Kim Kwiatkowski for Circle K Stores, Inc. to be located at the NE corner of Sun Valley Parkway and 263rd Avenue, which is currently vacant land. Delia Thibodeau spoke about her concerns with the location of the establishment. Mayor Bryant requested a sign off sheet for the Police Department background check. After some discussion the Public Hearing was closed at 7:32 p.m.

5L. Series 10 Liquor License Circle K Stores, Inc.

The applicant was not present at this meeting. A motion was made by Councilman Garza and seconded by Vice Mayor Beard to table the request for a Series 10 Liquor License requested by Kim Kwiatkowski for Circle K Stores, Inc. to be located at the NE corner of Sun Valley Parkway and 263rd Avenue, currently vacant land until the applicant can be present to answer Council's questions. Motion passed unanimously.

5M. PUBLIC HEARING

A Public Hearing was opened at 7:35 p.m. to hear citizen input on the proposed request by Merez Micaela of Meraz-Saucedo Enterprises, Inc., DBA Tierra Caliente Mini Mart for a Series 10 Liquor License located at 115 E. Highway 85. The applicant was not present. There being no public comment the hearing was closed at 7:36 p.m.

5N. Tierra Caliente Mini Mart for Series 10 Liquor License

The applicant was not present to answer Council's questions. A motion was made by Councilman Rioux and seconded by Councilman Hardesty to table the request by Merez Micaela of Meraz-Saucedo Enterprises, Inc., DBA Tierra Caliente Mini Mart for Series 10 Liquor License located at 115 E. Highway 85 until the applicant can be present to answer Council's questions. Motion passed unanimously.

5O. Ordinance 75-06 –Annexing-APACHE ROAD/YUMA ROAD RIGHT OF WAY A06-20

A motion was made by Councilman Rioux and seconded by Councilwoman May to adopt Ordinance 75-06 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits of the Town of Buckeye, Arizona, existing right-of-way for the west half of Apache Road between Yuma Road and Interstate 10 and the existing right-of-way for Yuma Road for approximately one-half mile on both sides of Apache Road requested by the Town Engineering Department. Motion passed unanimously.

5P. APACHE ROAD RIGHT-OF-WAY ABANDONMENT AB06-06

A motion was made by Vice Mayor Beard and seconded by Councilman Rioux to Table Resolution 42-06 abandoning the existing right-of-way for the west half of Apache Road between Yuma Road and Interstate Highway 10 requested by the Town Engineering Department for a 30 day period. Motion passed unanimously.

5Q. PUBLIC HEARING

A Public Hearing was opened at 7:41 p.m. to hear citizen input on the proposed Community Master Plan (CMP) for Montiere, of approximately 593 acres generally located between Northern Avenue and Glendale Road and between Johnson Road and 315th Avenue. There being no public comment the hearing was closed at 7:41 p.m.

5R. Woodruff Construction for the Earl Edgar Recreational Complex Restroom

Doug Showen showed Council a picture of the prefabricated building. Council asked about the price of the building and was assured that it was vandal proof and had stainless steel amenities, and guaranteed for twenty-five (25) years. After some discussion a motion was made by Councilwoman May and seconded by Councilman Rioux to award a contract to Woodruff Construction in an approximate amount of \$247,185.00 (this amount is \$10,000 less than requested for change orders) for the remodeling of the Earl Edgar Recreational Complex restroom out of Downtown Revitalization Funds. Vice Mayor Beard and Councilman Hardesty voted nay. Councilman Garza, Councilman Doster, Councilwoman May, and Councilman Rioux voted aye. Motion carried.

5S. Council Liaison for Chamber and BVDI Boards

Mayor Bryant nominated Vice Mayor Beard for BVDI Board, and Councilman Rioux to the Chamber Board. Councilwoman May seconded the motion. Motion passed unanimously.

5T. Lease of Water Right between Union Hills Country Club and the Town of Buckeye

Public Works Director Scott Lowe was available to answer Council's questions. A motion was made by Councilwoman May and seconded by Councilman Rioux to approve the Lease of Water Right between Union Hills Country Club and the Town of Buckeye, Arizona, and to authorize the Town Manager's execution of said agreement, and to ratify and authorize the acquisition or lease of water rights to be used at Wells 12 and 14 for an amount not to exceed \$100,000 per year, per well site. Motion passed unanimously.

5U. Enterprise Rent A Car Contract

Police Chief Assistant Parrish Spisz was available to answer Council's questions and explained that Seizure Funds were used to pay for this needed service. The amount is based on at least seven (7) vehicles. Vice Mayor Beard urged staff to look at purchasing vehicles instead of rentals in the future. A motion was made by Vice Mayor Beard and seconded by Councilwoman May to approve a contract with Enterprise Rent A Car using State Purchasing Contract 5-041-001 in the amount not to exceed \$100,000 for car rental use (\$84,000 Police, \$12,000 Fire and \$4,000 all Town Departments as needed) for a one (1) year period. Motion passed unanimously.

5V. Tartesso Fire Fund

A motion was made by Councilwoman May and seconded by Councilman Rioux to approve the upgrade of Assistant Chief from Battalion Chief and authorize budget authority adjustment from General Fund Contingency (on-going) to transfer out to Tartesso Fire Fund in the amount of \$25,310. Motion passed unanimously.

5W. Town of Buckeye Relocation Policy

A motion was made by Councilman Rioux and seconded by Councilwoman May to approve a Town of Buckeye Relocation Policy for Department Directors in the amount of \$15,000. Councilman Hardesty and Councilman Doster voted nay. Councilman Garza, Vice Mayor Beard, Mayor Bryant, Councilwoman May, and Councilman Rioux voted aye. Motion Carried.

5X. Resolution 43-06 Telecommunications Service License Agreement with Accipter Communications Inc.

Dustin Jones of Snell and Wilmer was available to answer Council's questions. A motion was made by Councilwoman May and seconded by Vice Mayor Beard to adopt Resolution 43-06 for the Telecommunications Service License Agreement with Accipter Communications Inc. Motion passed unanimously.

6. Town Manager's Report

*PIO Bob Bushner has a brochure of phone numbers for the Town.

7. Comments from the Mayor and Council

Councilman Hardesty-Received complaints of safety hazards of Southern Avenue at Rainbow and Apache.

Councilman Garza-None

Vice Mayor Beard-Raney House is moving forward

Councilman Doster-None

Councilwoman May-None

Councilman Rioux-None

Mayor Bryant-Customer Service Training going well.

8. Adjournment.

There being no further business to come before Council a motion was made by Councilwoman May and seconded by Councilman Rioux to adjourn the meeting at 8:33 p.m. Motion passed unanimously.

Bobby Bryant, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 5th day of September, 2006. I further certify that a quorum was present.

Linda Garrison, Town Clerk

